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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,933	05/08/2006	Stephen Townsend	GB03 0201 US1	4533
65913	7550	05/09/2008		
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131				
EXAMINER				
NGUYEN, NGA X				
ART UNIT		PAPER NUMBER		
3662				
NOTIFICATION DATE		DELIVERY MODE		
05/09/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary

Application No.

10/578,933

Applicant(s)

TOWNSEND ET AL.

Examiner

NGA X. NGUYEN

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 15 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Claim Rejections - 35 USC § 112

1. Claim 1 & 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains a new subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

- "the GPS signal samples contain an interference (IF) signal which remains modulated" is not discussed in the specification on paragraph 10 as the applicant provided. Paragraph 10 teaches that "the GPS receiver receives NAVSTAR SPS GPS signals Typically by passive band-pass filtering in order to minimize out-of band RF interference ... The resultant GPS signal samples contain the IF signal which remains modulated..."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guillard (6114975) in view of Green (667713).

With regard to claim 1, Guillard discloses a receiver:

- A GPS antenna, RF front end including an analogue to digital converter for sampling received GPS signals (see column 5, lines 33-37).
- A processor for outputting the GPS signal samples together with ancillary information either directly or indirectly describing characteristics of the GPS signal samples (see column 5-6, lines 37-42 & column 7, lines 47-67).

Green teaches a receiver circuit outputting IF signal contains all of the modulation that is present in the transmitted signal (see column 5-6, lines 65-45).

It would have been obvious to modify Guillard by incorporating the teaching of Green's receiver to have RF/IF front end circuit so as to output IF signal contains all of the modulation in the transmitted signal.

With regard to claim 2, 6-7 & 15-16, Guillard teaches that the GPS signal samples and ancillary information is outputted to an external device (see column 7, lines 12-47).

With regard to claim 3, Guillard teaches the ancillary information including information relating to the type or identity of the GPS receiver (see column 7, lines 48-67).

With regard to claim 4-5 & 12-13, Guillard teaches the ancillary information including information relating to the GPS signal received by the GPS receiver, the received GPS signal format, carrier frequency (see column 3-4, lines 55-4 and column)

With regard to claim 8, Guillard teaches that the user is able to directly select one of plurality of operating modes of the GPS receiver (see column 11-12, lines 35-5).

With regard to claim 9 & 17-20, Guillard teaches:

- Receiving GPS signal samples together with ancillary information describing characteristics of the GPS signal from a GPS receiver (see column 5-6, lines 37-42 & column 7, lines 47-67).
- Processing the GPS signal samples using the ancillary information to determine a position fix (see column 6, lines 37-42).

Green teaches a receiver circuit outputting IF signal contains all of the modulation that is present in the transmitted signal (see column 5-6, lines 65-45).

With regard to claim 10, Guillard teaches the GPS signal is a spread spectrum signal, and wherein the ancillary information is used to assist despreading of the GPS spread spectrum signal (see column 3-4, lines 55-4).

With regard to claim 11 & 14, Guillard teaches that the GPS signal samples and ancillary information are received from an external device (see column 7, lines 12-47).

Response to Amendment

3. Applicant's reply to the Office Action on 01/15/2008 has been fully considered but they are not persuasive.

With respect to claim 1 & 9, applicant argues that the prior art failed to teach:

- The GPS receiver outputting the GPS signal samples together with ancillary information, wherein the GPS signal samples contain an interference (IF) signal which remains modulated.

Response: Guillard teaches the GPS receiver outputting the GPS samples together with ancillary information (see column 5-6, lines 37-42 & column 7, lines 47-67).

Green teaches a receiver circuit outputting an interference IF signal contains all of the modulation that is present in the transmitted signal (see column 5-6, lines 65-45).

With respect to claims 3-7 & 12-16, applicants assert that Guillard does not disclose ancillary information includes any of the specific limitations.

Response: Guillard teaches ancillary information of the specific limitation recited in claims 3-7 & 12-16 in the paragraph 2 above

Claims 2-8 & 20 are depended on claims 1 & 10-19 which prior arts disclosed all the limitations of the claims.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 3662

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGA X. NGUYEN whose telephone number is 571-272-5217. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TARCZA H. THOMAS can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NGA X NGUYEN
Examiner
Art Unit 3662

NXN

/Thomas H. Tarcza/

Supervisory Patent Examiner, Art Unit 3662